



## February 29: U.S. Embassy Tegucigalpa Immigration Visa Webchat -- View Transcript

02-28-2008 16:33:42

Moderator: Welcome to our webchat. We look forward to hearing from you--you may begin submitting questions now or you may wait until the live chat on February 29.

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02-29-2008 10:38:15

Charles Lobdell: Welcome to the Embassy's webchat on immigrant visas. We look forward to hearing from you. You may submit questions now or during the live event beginning at 1:00 p.m. later today.

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02-29-2008 14:02:11

Charles Lobdell: Thank you for joining us for this online discussion on immigrant visas. Some of you posted questions already while others I hope are writing more questions for us to answer. Before we get to the questions, I would like to remind you that this discussion is for immigrant visas only. If you or someone you know desires to travel to the United States as a tourist, to visit relatives, or for business purposes, you need a non-immigrant visa. Immigrant visas are for those people who are moving to the United States to live permanently.

The easiest way to learn about immigrant visas and the visa process is to visit the embassy website at <http://honduras.usembassy.gov> where we explain the different types of visas that are available, who is eligible to receive those visas, and the process for petitioning for and obtaining the visas.

If you have questions about immigrant visas in general or about your specific case, we can be reached in person, by phone, fax, or by e-mail. If you are an American citizen, you can come in person to the Embassy, located on Avenida La Paz in Tegucigalpa, Monday through Thursday at 11:00 a.m. We can be reached by phone in Honduras at **238-5144 ext. 4287**, or, if calling from the U.S., at **011-504-238-5144, ext. 4287**. Our fax number is **221-1060 (011-504-221-1060 from the U.S.)**. We can also be reached by e-mail at [tggiv@state.gov](mailto:tggiv@state.gov). If you have a question about a specific case, please include the full name of the visa applicant and the case number so we can find the information you are seeking. Due to the high demand of phone calls every afternoon, you may have to try more than once to reach one of the section's personnel.

If during this webchat you send us a question about a pending immigrant visa case, please note for privacy purposes we will eliminate personal information and try to answer the question for the general audience. If your question was still not answered to your satisfaction, please feel free to contact us using one of the means listed above.

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02-29-2008 14:03:22

yayun: My fiancée and I are planning to move to China. He is a Colombian national with a Honduran residency and I am Canadian. I need to be in the US for about 2 weeks for some job training before I move on to China and I would like him to join me. Would it be better to apply for a transit visa or a tourist visa to ensure that he can go to China with me?

Charles Lobdell: Your question deals with non-immigrant visas. Please see our website at <http://honduras.usembassy.gov> which explains the different types of non-immigrant visas so you can determine which type would be best for your situation.

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02-29-2008 14:04:26

misslindsay: Hello! Thank you for reading this post. I have many questions about the timeline for the I601 visa and visa waiver (hardship letter), which basically center on the timelines. I do know that I can bring the hardship letter with me to my husband's appt. in Tegucigalpa, but was wondering how long the waiver takes to get approved, generally speaking. I would

like to plan this process smoothly and be prepared for what is coming next (I just received my NOA1 from the I30 I filed for my husband, who is from Honduras). I am in school, and we, of course, do not want to be separated for longer than necessary. Thanks! Lindsay

Charles Lobdell: Once the I-601 visa waiver package is completed, the Immigration Visa section will forward the documents to the Department of Homeland security for review. A response on the waiver request can take anywhere from six to eight months.

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02-29-2008 14:06:21

Timalice: I am applying for K-1 visa, my question is if the medical examination could be done before I get the interview from the embassy, or I just need to wait until embassy will tell me about the interview? Another question - if I have all my documents at the time that the embassy gets my documents from NVC, can I get an earlier appointment? Last question how old can my birth certificate, police certificate and most of my documents be?

Charles Lobdell: You can schedule your medical examination anytime in the process, but as the results are valid for only one year, we recommend you wait until you are notified that you are scheduled for an interview. You must then bring the results of the medical exam to the interview. NVC is currently responsible for scheduling all appointments. The police certificate should have been issued within six months of the interview date, while the other documents do not have a "expiration" date.

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02-29-2008 14:07:45

Andrea2: Can you tell us if there is a possibility of implementing a Pilot Program similar to that in Mexico for the adjudication of waivers of excludability? If so, can you say approximately when it will be implemented in Honduras? And what will happen to the waivers already backlogged? Will they be processed first or get new appointments in order to re-submit for faster adjudication? Thank you!

Charles Lobdell: That's a good question and it is a good program. However, there are no plans of instituting it in Honduras because of the lack of resources. We are bringing it to the attention of the district office in Mexico and hopefully they will consider such a program for Honduras in the future.

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02-29-2008 14:08:34

latinsev1: About how long will it take to get the process finished on a approved I-130 approved petition, once you have been given an appointment?

Charles Lobdell: The length of the process depends on many factors and on the classification of the visa that is being sought. On average, however, the process for minor children, spouses, or parents of American Citizens will take about 10 months, For all other classification, the process will take a number of years.

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02-29-2008 14:12:40

James Huang: 1. My entire family member received USA permanent residency (green card) on Jul, 2004. But since then, my family never returned to the USA again. Is my green card still valid? If not, how can I make it effective again? 2. My child is planning to apply college on this autumn, can my child use green card or I-20?

Charles Lobdell: No, if you are a Legal Permanent Resident, and are out of the country for more than one year, the Department of Homeland Security considers that you have abandoned your residency and your green card is no longer valid. To make it effective again, you must contact DHS and reapply for admission to the US. Your child must then use an I-20 and obtain a non-immigrant student visa to attend college in the US.

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02-29-2008 14:13:30

Andrea2: How many adjudicators do you have working on waiver cases? And what is their caseload? Is there any possibility of getting more in order to speed up processing times? Thank you.

Charles Lobdell: We just have one person who adjudicates many kinds of petitions and applications. We are averaging more than 30 waivers a month. Please keep in mind, we process many other kinds of petitions. Resources are a problem. At this point, the district has determined one adjudicator is sufficient.

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02-29-2008 14:14:28

IV questions: I am an American citizen, can I bring my family to the U.S., or who can I petition for?

Charles Lobdell: American citizens may petition for U.S. residency for spouses, children, parents, and siblings. Some categories (minor children, spouses, and parents) are not numerically limited, meaning that we can approve those cases as they come to us. Other categories (children over 21 and siblings) are limited to a certain number each year, and currently have long waiting periods before residency can be approved.

The key, however, is to start the process early. Also note that American's who are currently residing abroad can only petition for family members if they have and can demonstrate their intention to reestablish their residency in the United States. These petitions cannot be used to send family members to the U.S. while the American citizens still plans on living abroad.

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02-29-2008 14:14:53

IV questions: How do I begin the process of bringing my family to the U.S.?

Charles Lobdell: Almost all Immigrant Visas begin with a petition being filed with the United States Citizenship and Immigration Service (USCIS), a branch of the Department of Homeland Security (DHS). The first step is to file the appropriate petition with the local USCIS office in the United States (normal cases) or with the USCIS office in Honduras (only for those that have residency or are on official government orders in Honduras).

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02-29-2008 14:22:50

frog\_lover: How do I obtain a visa for my husband who is currently living in the USA without any expired visas or any papers at all without having to return to his country?

Charles Lobdell: Unfortunately, under current law that is no longer possible. You can begin the immigrant visa process in the US by filing the I-130 with DHS, but your husband must return to his home country for an interview. Please note that if your husband has been in the US illegally for more than 1 year there is an automatic 10-year ban on obtaining any visa. If you are an American citizen or a Legal Permanent Resident and petitioning for your husband, you can file a waiver for the 10-year ban, but please be aware that the waiver is not automatic and if you do not qualify for the waiver under law it will be denied.

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02-29-2008 14:23:42

frog\_lover: My husband is Honduran and currently living in the U.S. We married in the U.S. also but he entered the country without any type of a visa. My question is: What do we need to do to obtain some sort of a visa for him? I have heard we will have to go to his country for 8-15 months and apply from there. Is that true or is there a way to apply from here and how?

Charles Lobdell: You need to file an I-130 with the US Immigration office nearest you. If the petition is approved, they will forward the file to the US Consulate, and we would be able to process his petition. If he needs a waiver because he has been in the US illegally he would need to apply for a waiver. It can take from six to eight months to get the decision on the waiver.

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02-29-2008 14:24:01

Andrea2: My husband missed his visa appointment at the embassy because we did not receive the appointment notice until after the fact. How long will it take to reschedule a new appointment? Thank you.

Charles Lobdell: After receiving a notification from the applicant or petitioner that the appointment was missed, the waiting time for rescheduling is within two to three months

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02-29-2008 14:25:18

Andrea2: How can I change my husband's (the beneficiary) address if the embassy already has his paperwork for the K-3 visa but he has not been to an appointment? Thank you.

Charles Lobdell: You can change his address by sending us an email, fax or phone call.

Email: [tggiv@state.gov](mailto:tggiv@state.gov).

Phone: 011-504-238-5114 ext 4287

Fax: 011-504-221-1060.

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02-29-2008 14:29:09

cruzangela: DEBBI We will soon be applying for a nonimmigrant visa for my Honduran born husband. Do I need to travel to Honduras with him during this process? We have a newborn and I am very concerned for his safety and health

Charles Lobdell: I think there might be some confusion here. Non-immigrant visas are for aliens who wish to travel to the States for specific periods of time to work, study or vacation. Immigration visas are for people who plan to live permanently in the US as a resident or ultimately as a citizen. To obtain an immigrant petition, a U.S. citizen or resident must file the petition and that is usually done in the US. To obtain a non-immigrant petition, the applicant must apply from Honduras. In either case, you or your child do not have to travel to Honduras with your husband. If your husband has lived illegally in the states, he may not be eligible for either kind of visa without a waiver.

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02-29-2008 14:34:03

alejandrina amador hernandez: necesito informacion acerca de la visa H2B si la puede tramitar una persona particular

Charles Lobdell: Para mayor información sobre visas H2B visite la página

<http://honduras.usembassy.gov/>

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02-29-2008 14:38:07

Andrea2: If my husband's appointment is for a K-3 visa but our IR-1 paperwork is completed and forwarded to the embassy when it is time to actually issue the visa, which will he receive? Thank you.

Charles Lobdell: Once the IR-1 petition is forwarded to the Embassy, the IR-1 (which is the Legal Permanent Resident process) takes precedence. The timeframe for receiving an appointment is from two to three months. Once the visa is approved your husband would have six months to enter the US.

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02-29-2008 14:38:39

Sara12: How much does the process cost?

Charles Lobdell: The current cost of filing an I-130 petition (the most common petition used to bring a family member to the U.S.) is \$355. In addition to this initial cost, there is a \$45 fee at the time of the interview, the costs of the required medical exams and vaccinations, and other costs associated with gathering the required documents (translation costs, Honduran passport fees, etc.). In all, petitioners should be prepared to spend at least \$800 per application.

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02-29-2008 14:54:57

joel2: Why does the process take so long?

Charles Lobdell: Some visa classifications have annual limits for the number of visas that can be approved. Given that there is a high demand for these spots, some classifications have a waiting list of close to 10 years. In addition to high demand, security-related concerns and high rates of fraudulent applications require a very detailed review of all applications. In addition, it's a matter of limited resources and people.

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